

**From:** Lanny Smith  
**To:** Microsoft ATR  
**Date:** 12/13/01 4:27pm

Dear Sirs,

I own a small business with 30 networked computers all running Microsoft products. I pay a full time person on staff to run all computer issues in the company. The compatibility of products is of the utmost importance in transferring documents, email systems, database use etc.. I am actually old enough to have bought expensive enterprise computers and hired a programmer to create an accounting program to just do accounting for my company. The grief I went through in the early days of computers was intolerable. I am personally very grateful that a company with enough market power exists to have created standards out of chaos. With a multitude of different software vendors these days a definite choice exists for anyone to do anything they want to with or without Microsoft. I chose Microsoft products over all others because I need seamless operation of software products at a very reasonable cost. I am told by my son that Linux is a superior operating system. I still don't buy it because the overall cost of compatibility and retraining is not worth it. Microsoft is not the evil empire eventhough they used every tactic to get their OS on the desktop. I neither like or dislike them as a company, I just happen to think they provide me with the best overall tools at the best overall cost in the software industry.

The idea that antitrust will create more choice is a very debateable advantage. Time after time we see examples of well meaning misguided individuals imposing their own biases on consumers. Choice in electric power delivery in California brought on a crisis throughout the nation. Some nit wit thought they could wring the last bit of profit out of power and everyone just spent more money buying generators to keep their respirators going at home. The real long-term cost of that decision was astronomical. Similarly, consumers in the computer area just need products that all work together. And, they must continue to rapidly adjust to market demands. If other companies can convince consumers that they have great products through marketing and performance they should win in the marketplace over a company that many say is holding the market back. My opinion is that moving too rapidly with a wide variety of products subjects the market to incompatibility and almost immediate obsolescence. Fortunately, I have had the funds to purchase a great many software products over the years, but the constant search among poor product performers really cost me a great deal more money than I should have spent. If Microsoft offers a product in an arena that I need, I always buy it and I have yet to be disappointed in either performance or price.

I have read the settlement proposal from start to finish. As a businessman I would fight to the death to prevent being shackled in competition the way this proposal ties up Microsoft. An independant committee reviewing constantly every strategic decision would be intolerable. I feel Microsoft has only accepted this onerous settlement to avoid an incredibly brutal fate.

I graduated from The Wharton School of Business at the University of Pennsylvania with an MBA and I have 30 years of running my own businesses. I am definitely opposed to inflicting restrictions on business because consumers ultimately pay the cost of these inefficiencies. It is similar to some idiot suggesting that businesses be taxed more so that individuals can be taxed less. In a competitive marketplace all business taxes are passed directly on to the individuals purchasing products. Instead I suggest that if someone has broken the law they pay appropriate fines for having done so or they do some jail time like my school mate Michael Milken. It seems to have done him some good. I'm not suggesting that Mr. Gates does time, but as a businessman the threat of personal loss or incarceration is a far greater deterrent than even having to deal with some ridiculous committee overseeing and running my business. Further, the persons you are trying to punish will be punished rather than consumers who just want products that work seamlessly together at a fair price. If you want a real solution, you will create a judgement that recognizes wrong doing in the past with real teeth for the future to prevent recidivism which does not create inefficiencies in the marketplace that consumers end up paying for anyway.

Sincerely,  
Lanny Smith, President Coverstar Inc. Provo Utah  
ls@coverstar.com